

MARYLAND GAZETTE.

T H U R S D A Y, J A N U A R Y 21, 1796.

By the SENATE, December 21, 1795.

On motion, ORDERED, That the bill, entitled, An act declaring jurisdiction in civil cases, with the respective endorsements thereon, be published four weeks successively in the Annapolis, Baltimore Federal Intelligencer, and Eastern news-papers, before the first day of June next.

By order,

H. WARFIELD, clk.

An ACT declaring jurisdiction in civil cases.

It is enacted, by the general assembly of Maryland, That the general court shall have original jurisdiction and cognizance of all real actions, actions of ejectment, and of all actions of waste, and of all actions of replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, and of all personal and mixed actions, except of trespass on real property as herein after provided, where the real debt, or thing in demand, or damages assessed, shall amount to the sum or value of one hundred pounds current money; but if any such action shall be brought in the general court, except as aforesaid, and the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the court shall, ex officio, order the plaintiff to be nonsuited.

II. *And be it enacted,* That the general court shall have original jurisdiction and cognizance of all actions of trespass on real property where the title to the land is in question, and also where the damages assessed shall amount to the sum of twenty pounds current money, but if any such action shall be brought in the general court, and the title to the land shall not be in question, and the damages assessed shall not amount to the sum aforesaid, the court shall, ex officio, give judgment for the damages only, and may, in their discretion, adjudge that the plaintiff shall pay the defendant his costs.

III. *And be it enacted,* That the several county courts shall have original jurisdiction in all cases whatever, not now within the jurisdiction of a single magistrate.

IV. *And be it enacted,* That if any person shall commit any trespass on real property, or shall assault and beat the person of another, and shall remove from the county where such property lies, or where such assault and battery was committed, the person injured may, at his option, sue such trespasser in any county of the shore where he or she may be found, or issue a writ from the county court of the county, or from the general court of the shore, where such trespass was committed, directed to the sheriff of the county where the defendant resides, and returnable to the general or county court from whence it issued, any thing herein before to the contrary thereof notwithstanding.

V. *And be it enacted,* That no action commenced in any county court shall be removed by the plaintiff by certiorari, unless with the consent of the defendant, entered on the record, or producing the certiorari, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; and if any action shall be removed to the general court by the plaintiff in which the real debt, or thing in demand, or damages assessed, shall not amount to the sum or value aforesaid, the said court shall, ex officio, adjudge that such plaintiff be nonsuited.

VI. *And be it enacted,* That no action commenced in any county court, except of dower, ejectment, replevin, or for trespass on real property, shall be removed by the defendant, by certiorari, or habeas corpus, unless before issue joined, and where the real debt, or thing in demand, or actual damages claimed, shall amount to the sum or value of one hundred pounds current money; but any defendant in an action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, at any time before issue joined, on paying the costs accrued in the county court before such removal; and any plaintiff in any action of dower, ejectment or replevin, where the property replevied shall be appraised to above the sum of thirty pounds current money, or for trespass on real property, may, without the consent of the defendant, remove any such action to the general court, at any time before issue joined, on paying the defendant all the costs accrued in the county court before such removal, any thing herein before to the contrary thereof notwithstanding.

VII. *And be it enacted,* That no appeal or writ of error shall lie from any judgment of any county court, in any personal action, to the general court, unless on the oath, or affirmation, of the party, if defendant, or his attorney, that the appeal, or writ of error, is not brought for delay, and if on any such appeal, or writ of error, judgment shall be affirmed, the appellee shall recover double costs.

VIII. *And be it enacted,* That the sheriffs of the several counties of the western shore for the time being,

shall summon as grand jurors, to attend the general court for the said shore at the spring session, at least fifteen days before the day appointed by law for the holding of the said courts, as follows, to wit: One from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; three from Montgomery, Charles and Calvert counties; and four from Baltimore, Anne-Arundel, and Prince-George's counties; and the said several sheriffs are hereby required to summon and return to the said court, for such grand jurors, free white male citizens of this state, and inhabitants of their respective counties, and such only as are from their education, knowledge, information and experience, most capable and best qualified to discharge the important trust and duty of grand jurors; and the said sheriffs shall summon no person unless above twenty-five and under fifty-five years of age, and who has not a freehold of above one hundred acres of land in his county, or property in the county assessed to above the value of five hundred pounds current money.

IX. *And be it enacted,* That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as grand jurors, to attend the general court at the spring session for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cecil, Kent, Worcester and Somerset counties; three from Dorchester and Caroline counties; and five from Queen-Anne's and Talbot counties; and the said several sheriffs are also required to summon, for such grand jurors, persons above described, and having the same qualifications as above mentioned and prescribed.

X. *And be it enacted,* That the sheriffs of the several counties of the western shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least fifteen days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Allegany, Washington, Frederick, Harford and Saint-Mary's counties; four from Montgomery, Charles and Calvert counties; and six from Baltimore, Anne-Arundel and Prince-George's counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors, and most capable and best qualified to discharge the important trust and duty of petit jurors.

XI. *And be it enacted,* That the sheriffs of the several counties of the eastern shore for the time being, shall summon, as petit jurors, to attend the general court for the said shore, at least ten days before the day appointed by law for the holding of the said court, as follows, to wit: Two from Cecil, Kent, Worcester and Somerset counties; five from Dorchester and Caroline counties; and seven from Queen-Anne's and Talbot counties; and the said several sheriffs are hereby required to summon for such petit jurors persons above described, and having the same qualifications as above mentioned and prescribed for grand jurors and petit jurors for the western shore, and no challenge shall be allowed to any juror, summoned in virtue of this act, for want of freehold.

XII. *And be it enacted,* If any sheriff shall neglect to summon and make return of the best and most capable men in his county to be grand and petit jurors, according to the directions of this act, he shall, for every such neglect of duty, be fined by the general court, not exceeding one hundred pounds current money; and if any person so summoned as a grand or petit juror shall not appear, or appearing shall depart the court without the leave thereof, such person so offending may be fined by the court, in their discretion, not exceeding the sum of thirty pounds current money.

XIII. *And be it enacted,* That no person qualified to be a grand or petit juror, according to this act, shall be exempted from such necessary and important duty, except only the governor and the members of the general assembly and the council, and any principal, vice-principal, professors, tutors and assistants, in any college or seminary of learning, and any school-master or practicing attorney, physician or surgeon, and any judicial or civil officer of this state, or of the United States, during their continuance in their respective stations or business, and except also as is hereafter provided.

XIV. *And be it enacted,* That the general court, with the consent of parties, or without their consent, (if the case is not of great importance and difficulty,) may in their discretion, order any action, personal or mixed, that is ready for trial, and in which issues in fact only are joined, to be tried in the county where the plaintiff or defendant resides, (or if justice requires, in any other county,) and such order shall be entered on record, and thereupon, and in virtue thereof, the clerk of the said court shall make out a transcript of the proceedings, under his hand and the seal of the said court, together with a copy of all depositions, (if any,) taken in such cause, and shall deliver the same to the plaintiff, or his attorney, when required, and the plaintiff, or his attorney, shall produce the said transcript, and copies of depositions, (if

any,) to the clerk of the county court of the county to which such cause shall be ordered for trial, at the county court to be held next after such order, and on or before the first day of the sitting of the said court, and when produced, the clerk of the said county court shall file them, and enter such action on his docket, and the said court shall proceed to the hearing, trial and determination thereof, and give such judgment, and award execution thereon, returnable to the said court, or to any other county court, in the same manner as if the said action had been originally commenced and carried on to issue in such county court, and the defendant had resided therein or removed thereout after such judgment; and if any plaintiff, or his attorney, shall not produce such transcript as above directed, upon motion in the general court, and due notice thereof given, the said court shall give judgment for the defendant, as in cases of nonsuit, unless the said court shall, upon just and reasonable terms, allow any further time or times for the trial of such action, and if the plaintiff shall again neglect to try his action, the court shall proceed to give such judgment as aforesaid, and all such judgments shall be of the like force and effect as judgments upon nonsuit, and of no other force or effect; and the plaintiff or defendant in such action may issue subpoenas for witnesses, either from the general court or from such county court, and on non-attendance the said county court may issue attachment, either to their county or to any other county, to compel the attendance of such witnesses; and if such action cannot be tried with justice to the parties from want of testimony, or from some defect in plots or the pleadings, the said court may continue such action in the same manner as they can continue any other action in their court, and may grant amendments for the trial of the merits in all proceedings whatsoever before verdict, and if any amendment is made after a jury is sworn, a juror shall be withdrawn, and the said court may take such further order, in their discretion, as justice requires; and on the trial of such action either party shall be entitled to a bill of exceptions, and on appeal, or writ of error, the clerk of the said court shall return the transcript, together with all depositions, (if any,) annexed thereto, to the clerk of the general court, with a transcript of all the proceedings in the said county court in the said cause, under his hand and the seal of the said county court; and upon such transcript the said general court shall proceed to give judgment as is by law directed in appeals or writs of error from the county courts; and the clerk of the county courts, receiving any transcript from the general court, shall enter the same on his records, together with all further proceedings in such actions; and any action ordered to any county court for trial, shall be continued in the general court until the transcript shall be received and filed in the county court; and all costs incurred in the general court shall be taxed, included and recovered, with the costs incurred in the county court.

XV. *And be it enacted,* That it shall be lawful for the general court, on application of either plaintiff or defendant, at any time, and upon satisfaction being given to the court, by affidavit, affirmation, or otherwise, that a witness, (who shall be named,) is a material and competent witness in such cause, residing within the state, and not able to attend the court from age, sickness, bodily infirmity or accident, or without great danger of health, to order the deposition of such witness to be taken, on interrogatories, in writing, before some justice of the peace where such witness resides, on such notice to the adverse party as the court may think reasonable; and every deposition taken according to the order of the court, shall be good and legal evidence on the trial, in the same manner as if the witness was produced and examined in open court.

XVI. *And be it enacted,* That either plaintiff or defendant may require that a special jury be selected or struck in the following manner, to wit: The clerk of the general court shall make out and deliver to the parties, or their attorneys, a list of all the petit jurors attending the court, and they may agree on any twelve in the said list for the trial of the cause, and if they appear they shall be empanelled and sworn as the jury, but if any of them do not appear, then the said parties, or their attorneys, may agree on any other in the said list in the place of such as do not appear, and the juror or jurors so chosen shall be added to the panel, and sworn in the cause; and if a jury cannot thus be selected by choice, then one shall be struck in the following manner, to wit: The clerk shall furnish a list of all the jurors attending the court to the parties, or their attorneys, and they may, in the presence of the clerk, alternately (the plaintiff, or his attorney, beginning first,) strike out from the list the names of all the jurors except twelve, who shall, if they appear, be empanelled and sworn on the jury, but if any of them do not appear, or if any of them are set aside on challenge, the said parties, or their attorneys, may again strike out of the list, in the same manner, until there shall be no more left than will make up the

deficiency, and if any of them do not appear, or are set aside on challenge, the parties, or their attorneys, may again strike out, as before, and so, toties quoties, in like manner, until a jury be obtained; and the jurors so struck shall be empanelled, and sworn as the jury to try the cause.

XVII. And be it enacted, That on the application of either plaintiff or defendant the general court may, in their discretion, in any action between merchant and merchant, or between any merchant and his factor or agent, respecting mercantile dealings and transactions between them that are of great importance, and intricate from the length or multiplicity of items or particulars, or that will probably involve some new and difficult question of law, and also in other special and similar case of difficulty and intricacy, (although not between merchants, or a merchant and his factor or agent,) issue a special venire facias, directed to the sheriff of any county, or, if necessary, to sheriffs of different counties of the shire where such action is to be tried, to summon and return a jury of merchants to attend the said court on a day to be appointed and mentioned in such writ, for the trial of such cause, and such sheriff shall, in virtue of such precept, summon and return twenty-four, or such number as the court shall direct, of the most respectable and experienced merchants of his county, citizens of this state, above the age of twenty-five, and under fifty-five years, and having a freehold of above one hundred acres of land in his county, or property in the county assessed to above five hundred pounds current money, and out of the said jurors, or such of them as shall appear, a jury may be agreed on or struck in the manner herein before directed, and the jury so agreed on or struck shall be empanelled and sworn as the jury to try such cause; and all the expence of such jury shall be paid by the parties equally, or in such proportion as they shall agree, but if they do not agree, then the whole expence shall be paid by the party applying for such jury; and if any person returned shall not appear, or after appearance shall wilfully withdraw from the presence of the court, such person so offending may be fined by the court, in their discretion, not exceeding the sum of fifty pounds current money.

XVIII. And be it enacted, That the sheriffs of the several counties for the time being shall annually, and upon the first day of the sitting of their respective county courts in the spring of the year, return an alphabetical and true list, in writing, of the christian and surnames of all persons in their respective counties, qualified, according to this act, as grand and petit jurors in the general court, to their respective county courts, and the said courts are hereby required carefully to examine the said list, and diligently to inquire if any persons qualified to be jurors are omitted, and whether any persons not qualified to be jurors have been inserted, and if they find that any have been omitted, they shall order the sheriff to add them to the list, and if they find that any have been inserted by mistake, who ought to be omitted, they shall order the sheriff to strike out such person from the said list; and to obtain full information on this subject, the said courts may examine the said sheriff, and his deputies, or any other persons, (on oath or affirmation,) and if it shall appear to the said courts, that the said sheriff wilfully omitted out of any such list any person or persons whose name or names ought to be inserted, or that the said sheriff wilfully inserted any person or persons who ought to be omitted, the said courts shall fine the said sheriff for every person so omitted or inserted in such list contrary to the meaning of this act, not exceeding five pounds current money; and if any sheriff shall take any money, or other reward, for omitting or inserting any person in his said list, such sheriff shall forfeit not exceeding fifty pounds current money for every such offence; and the said county courts shall direct the clerk of their county immediately to enter such list (with the corrections, if any,) among the proceedings of the said court; and the said clerk shall forthwith thereafter deliver the original list (with the corrections, if any,) to the sheriff of his county, for his government in returning of grand and petit jurors to the general court; and such sheriff, immediately on receiving the said list, shall cause the same to be entered faithfully, fairly and alphabetically, in a book to be kept by him for that purpose, and such sheriff shall deliver the said original list to the clerk of the general court; and if any clerk of any county, or any sheriff, shall neglect any duty above required, such clerk or sheriff shall forfeit not exceeding fifty pounds current money for every neglect; and if any sheriff shall summon and return any person to serve as a grand or petit juror to the said court, whose name is not inserted in such list, such sheriff shall forfeit not exceeding fifty pounds current money for every offence; and every sheriff shall enter or register in a book to be kept by him for that purpose, in alphabetical order, the names of such persons as shall be summoned, and shall serve as jurors; and the said sheriffs shall so conduct themselves in summoning the respective jurors from those whose names are entered in the said list, as to prevent, as far as possible, a burthen or hardship from falling on individuals, as far as is consistent with his chief duty of returning the most capable and best qualified as he is herein before required; and if any sheriff, or his deputy, shall, directly or indirectly, take or receive any money, or other reward, to excuse any person from serving, or being summoned to serve, as a grand or petit juror to the general court, or under that colour or pretence, such sheriff, or deputy sheriff, so offending, shall forfeit fifty pounds current money for every offence; and every sheriff, on going out of office, shall deliver to his successor (when required,) the book containing the said list, and the register of the service of the said jurors during his being in office, under the penalty of fifty pounds current money, and on the death of any sheriff, his executor or administra-

tor shall also (on demand) deliver to the successor the said list and register, under the penalty of fifty pounds current money; and any of the said fines may be imposed by the general court on any clerk, sheriff or his deputy, or on the executor or administrator of any sheriff, on examination and proof of such offence in a summary way; and the levy courts of the said counties may make such allowance to the said sheriffs and clerks, for the execution of the aforesaid duties, as they may think reasonable.

XIX. And be it enacted, If any person not qualified to serve on juries according to this act, or exempted from such duty, shall find his name mentioned in such list, or being qualified, shall be so circumstanced in other respects as to make it improper to summon him as a jurymen, such person may apply to the county court to which such list was returned, and the said court, upon satisfaction, by the oath of the party complaining, or other proof, that he is not qualified to serve, or that he is exempted, or ought to be exempted from serving as a jurymen, shall order his name to be struck out or omitted in such list, and on producing a certificate of such order to the sheriff, he shall immediately strike such person out of his list.

XX. And be it enacted, If by any means of challenges, or default of jurors, a sufficient number of jurors shall not appear, in any criminal or civil case, the general court may award a tales, directed to the sheriff of Anne-Arundel county, or to the sheriff of Talbot county, as the case may be, to summon and return so many of his county as will make up a full jury, and the said tales shall be liable to the same challenges as the principal jurors; and if any person returned shall not appear, or after appearance shall wilfully withdraw from the presence of the court, such person so offending may be fined by the court, in their discretion, not exceeding the sum of twenty pounds current money.

XXI. And be it enacted, That the sheriffs of the respective counties in this state shall summon and return, as grand and petit jurors to their respective county courts, the best and most capable persons mentioned in the list above directed to be taken, subject to the same provisions and penalties respecting the same, prescribed in their duty in summoning the jurors to attend the general court; and a special jury may be selected or struck in any county court, at the request of the plaintiff or defendant, in the same manner as above provided in the general court.

XXII. This act to continue for seven years, and until the end of the next session of assembly thereafter.

By the senate, December 2, 1795: Read the first time and ordered to lie on the table.

By order,

H. WARFIELD, clk.

By the senate, December 16, 1795: Read the second time and will pass.

By order,

H. WARFIELD, clk.

By the house of delegates, December 18, 1795: Read the first time and ordered to lie on the table.

By order,

W. HARWOOD, clk.

By the house of delegates, December 21, 1795: Read the second time and will not pass.

By order,

W. HARWOOD, clk.

LIMBURG, October 10.

THE arrival of a courier this moment informs, that the Austrians have been driven beyond the river Mayn, the loss on both sides was very considerable, a great number of Austrians threw themselves into the river, the loss at the departure of the courier, was computed at 5000 men.

ROCHEFORT, October 16.

There must have something happened to the English fleet on our coast during the late storm, as we have remarked broken spars, rigging, &c. evidently belonging to men of war, as well as a great many drowned horses.

BRUSSELS, October 27.

A letter from Dusseldorf gives the following news.—Our army of 30,000 men is encamped some distance in advance of this city.—The Austrians have abandoned the ground which they had gained.

We are informed that general Pichegru has attacked the army of Wurmsier, which was considerably weakened by the succours given to Clairfayt, and that his army was entirely defeated.

OP. 31. The Austrian troops commanded by general Clairfayt are only at the distance of 4 leagues from Dusseldorf, where 50,000 republicans are determined to dispute the ground with the enemy. A great quantity of artillery and ammunition of all kinds has been sent from the left bank of the Rhine, in order to replace the artillery lost in the precipitate retreat.

NANTES, October 22.

We cannot hear what has become of Charoté. About three days ago, 800 men of his guard were in the forest of d'Azemay, without a chief, without bread or ammunition. The greatest part of his army have hidden their arms, and returned to their homes; others are wandering about pillaging the country people who refuse to give them bread, they are, however, closely pursued.

LONDON, November 10.

We have ample accounts of the operations in Germany, and some of them in papers not friendly to the

ruling powers (particularly the Courier Françoise). It appears by them that the French armies, both that of Pichegru and Jourdan, have been defeated and obliged to retreat, but not to the extent reported. They say nothing of the Austrians having passed the Rhine. A part of general Jourdan's army crossed the Rhine, near Coblenz, while the rest took post at Dusseldorf, with the intention to maintain itself there.

Disturbances have broke out both in Holland and Hainault. The latter are so serious as to be termed in the French papers another Vendee.

The reports of the passage of the Rhine by the Austrians, of their having taken Cologne, and defeated the French on the banks of the Roer, are all evidently unfounded.

The French general Marceau, occupied a post at Neuwied, beyond the Rhine, but this it was thought he could not long preserve. An engagement was hourly expected, but the French generals, it is added, had taken every precaution to secure their retreat, if necessary.

It was reported at Paris, on the 3d, that general Hoche, had fallen on the army of Charette, at the moment when he was endeavouring to form a junction with some troops disembarked from the English fleet; that Charette had been defeated, and himself killed.

One of the Paris papers states, that the port of Lisbon is blocked up by some French ships of war. They add, that a peace is near being concluded between France and Portugal.

Forty-nine sail of vessels of the captured Mediterranean fleet, including the man of war, is the number which the Courier Françoise, an aristocratical paper, reports to have entered Cadiz.

Barrere has escaped! Pache, Bouchotte, and others, are set at liberty. Thuriot and Cambon, walk about peaceably in Paris. The report of the death of Merlin of Thionville, is contradicted. It is said that Charette has been defeated, and killed by Hoche. The Imperial chancery has ordered Semonville, Bourdonville, Marat, and the deputies, to be set at liberty.

Nov. 11. This morning arrived Mr. Major from Basle, and Mr. Basset from the British army on the continent. Two mails also arrived, but the letters were not delivered out when this paper went to press.—Two more mails are on the road. We can, however, state the following authentic particulars:

The origin of all the disasters experienced by the French, arose from general Clairfayt having broken the line of neutrality, by marching over the mountains near Oppenheim, and by that means gaining the plains before Francfort. By so doing, he flanked the French army before Mentz, and threw it into the utmost disorder.

From the 12th to the 24th of October, the date of the accounts from Francfort, there were daily engagements, in every one of which the Austrians were victorious. We cannot enter in the details.

Evening Mail Office.

P. S. Half past 3 o'clock. We stop the press to say that about half an hour since a messenger arrived from Mentz, with dispatches from general Clairfayt, dated the 31st ult. containing the news of his having gained the most glorious victory obtained during the war, by driving the French armies which were before Mayence, on the left bank of the Rhine, with the loss of all their artillery and baggage. On the same day general Wurmsier attacked the French before Mannheim with equal success.

The privy council has issued an order for prohibiting in future the exportation of cheese, butter, hay, straw, and forage of any kind whatever.

Price of stocks this day at one o'clock. Consols 68 5-8ths 35ths.

NEW-YORK, January 8.

The following important article, which may serve as a key to the English account published on Tuesday, is translated for the Argus, from "The Journal of the Patriots of '89," printed at Paris November 6, 1795; handed by a friend, received by the Ariel.

[Argus.]

MANHEIM, October 28.

"Every thing here remains as before; we yet hold our posts; yet there remains but little hope of effecting the junction of our army with that of the Sambre and Meuse, which, by reason of the circumstance of Prussians having trespassed upon the line of demarkation, file off towards Dusseldorf and Cologne. On our side, we are daily attacked by the Austrians, but they have as often been repulsed with loss.

"The last action cost them dear; they attacked us with immense force; it was owing to our small numbers that they had not lost every man; it was said that their loss was five thousand men, but I, who believe only what I see, calculate it at three thousand.

"Every thing seems to have been disposed in such a manner as to prevent our annoying the enemy. We are small in number; the battalions are disorganised; a great number of the new officers and commissaries, sent by Aubry, are either nobles or emigrants, or relations of emigrants; they swear against passing the Rhine, creating discontentment among the soldiers. The commissaries rob the peasants, and create the discontentment on all sides. What have we to do on the other side of the Rhine? Instruct these friends to our enemies. Our troops are employed in a thousand different ways. The convention are in the fault. Why, by its silence, does it suffer disorganising insinuations to gain such ground? Why does it not pronounce upon the limits on the Rhine?

N. B. The citizen who forwarded this letter, adds the following observations:

The lying system, which two months since so forcibly seconded the efforts of the conspirators, revises, and it is again the editor of des Nouvelles Phil-

...which trumpets these lies abroad. Within two days he has given us extracts from German Gazettes, and this day he presents an anonymous letter from Heidelberg, and to give it the more credit, he assures it to be an official bulletin from Clairfont.

"The letter is of the 19th and 20th, but so full of nonsense, ignorance and contradiction, that none but an emigrant could have dictated it."

"At one time the foolish fellow speaks of the bridge of Mannheim being broken by the French themselves, by which they would destroy the only means of communication with the centre of the army; at another time it is the Austrians who destroyed the bridge by launching into the stream some timber which the French, a few leagues higher up, had thrown into the Rhine."

"The silly elf seems not to know what part of the world Mannheim is situated in, and much less, that by the situation and length of that town, the French, if they would withdraw, might be out of the reach of the Austrians."

PITTSBURG, January 2.

A party who had been out surveying lands near the Scioto, have returned: one of the gentlemen reports, that during the time he was there, he had frequent intercourse with hunting parties of Indians, who treated him with great friendship, and with the best of their camp could afford. He supposes there must have been upwards of 200 warriors in that quarter.

We learn by a gentleman from Greenville, that general Wayne had returned to that place from the Lakes; and that he had built three garrisons in advance of the former out posts. It is still rumoured that the army will winter on the banks of the Ohio.

AUGUSTA, December 5.

A gentleman just arrived from St. Mary's has favoured us with the following intelligence: That on the 21st of October last, 300 men of land forces, and three armed vessels, under the command of colonel Howard of the Spanish forces, moved up the St. Mary with intention to invest or dislodge general Clark from his camp in East-Florida; whilst captain Fauche, with a detachment of his troop of militia dragoons, was marching up said river, on the Georgia side, to prevent the refugees from rallying or forming a camp on the territory of the United States.—But on their arrival at and opposite Temple, they learned that general Clark's men had dispersed, and the general himself given over the enterprise. It is supposed in consequence of the peace between France and Spain.—Colonel Howard and captain Fauche had a friendly intercourse during their continuance at and opposite Temple, and the Spanish officers seemed well pleased with the measures adopted by the governor of Georgia.

We hear from good authority, that on the 6th ult. two Indians, one named George, a Creek, and son of the Hallowing king, and the other his uncle, a Cherokee, were treacherously murdered at Fort Washington, Franklin county, by two of the soldiers who were enlisted for the defence of this state.

CHARLESTON, December 8.

Two ladies the daughters of the late comte de Grasse, came passengers in the barque William, from Salem.

By a gentleman who arrived on Sunday from the Havana, we are informed, that the Fierme, a 74 gun ship, and a frigate, which the chevalier Mavo and some other French officers kept possession of in the name of the king of France in the year 1793, when the disturbances broke out in the West-Indies, are now in that harbour and are repairing to be delivered up to the republic; the officers and crews, he understood were in pursuance of an article of the treaty between France and Spain, also to be delivered up.

ALEXANDRIA, January 9.

Yesterday presented a scene which for savage desperation hardly has its parallel. Between 5 and 6 o'clock in the morning the family of Messrs. Korn and Wisemiller was alarmed with the cries of murder in the upper story of their dwelling, but before those who were up in the house had more than half way ascended to the apartment from whence the cries issued, they were met by a negro woman who had but just breath to make them understand that her husband had attempted her life, and pointing to her throat, where there was then a razor sticking, fell dead at their feet—to complete the dreadful catastrophe; the perpetrator, immediately on the woman's getting out of the room, threw himself head foremost, from the garret window of a three story house to the pavement, putting a period to a life, the termination of which exhibited a phrenzy not to be accounted for, and a spectacle too horrid for description. The parties were upwards of 60 years of age.

BALTIMORE, January 10.

On Sunday arrived the brig Dispatch, captain Donaldson, from Jeremie, which he left on the 25th of December, at which time the inhabitants were under arms, expecting that evening to be attacked by the brigands. None of the British armament, that he could hear of, had arrived in any part of the West-Indies, but from the accounts which had been received, were daily looked for.

Mr. Farrar, who arrived in the brig John, on Sunday, from Berbice, informs that the negroes employed by the British to act as pioneers to the expected forces, had been disbanded; a circumstance which had originated a report that the West-India expedition was given up; that he was at St. Bartholomew's on the 23d ult. when flour was selling there and at St. Thomas's at 12 dollars per barrel; coffee 16½d. per lb.—and

that he was in sight of St. Vincent's two days, and could easily see the Caribbean and French camp, at the distance of about two cannon shot from the British, the latter of which, as he was informed by the lieutenant of a British ship of war who boarded him, consisted of about 3000; skirmishes took place frequently; but both parties were afraid to attempt any thing decisive.

NOTICE.

THE creditors of BETTY H. FRAIZER, late of Calvert county, deceased, are requested to send in their claims, legally authenticated, by the first day of April, and all those indebted to her estate are desired to make immediate payment, to

JOHN BROME, Administrator.

Calvert county, January 13, 1796.

RAN away, on the 11th of September last, a small negro man named JERRY, about five feet five or six inches high, appears to be religious and about thirty years of age, of a yellowish complexion, has lost some of his foreteeth, and has some wheels on his belly, a round face, a tolerable flat nose, a broad mouth, short neck, small legs, and sometimes a stoppage in his speech, he understands plantation business, is a shoemaker, and knows something of carpenters work; it is uncertain what cloaths he has with him; it is likely he has changed his name, and may pass for a free man, or has a forged pass and will attempt to go to Baltimore or George-town, or escape to Pennsylvania. Whoever takes up the said negro, and secures him so that I may get him again, shall receive TEN DOLLARS REWARD, paid by

SAMUEL DARE.

Calvert county, January 16, 1796.

A LIST of LETTERS remaining in the Post-Office, Port-Tobacco, which, if not taken up before the first day of April, will be sent to the General Post-Office as dead letters.

ANN JACKSON, Nanjemoy.

Geo. Lee, Poplar hill.

Mrs. Elizabeth M'Kibley, Poarmonky.

Maur. M'Donough, near Port-Tobacco.

John B. Hanlon, near Port-Tobacco, 2 letters.

Francis Sewall, near Port-Tobacco.

John Nowlan, Cob Neck, Charles county.

Richard Macall, Calvert county.

Daniel Sharp, Somerset county.

Jn. Booth, merchant, Nanjemoy.

Saml. C. Cox, Port-Tobacco, Maryland.

Mrs. Eleanor Boarman, Picawaxen, C. county, 2.

Mr. Ben. Countee, Blenheim, Charles county.

William Hill, bricklayer, Port-Tobacco.

Garrard B. Cause, near Port-Tobacco, 2.

John Fenwick, Cornwallises Neck.

James Freeman, Port-Tobacco.

Wm. D. Harrison, Nanjemoy, Charles county.

Miss Dickenson, St. Thomas's Manor, C. county.

James Simms, Cob Neck.

William Hanlon, Charles county.

Mrs. Mary Clements, Charles county.

Geo. P. Greenfield, Benedict.

Walter Stone, Port-Tobacco, 2.

William Elgin, Cob Neck, Charles county.

SARAH DAVIS, P. M.

Port-Tobacco, January 5, 1796.

A LIST of LETTERS remaining in the Post-Office, Annapolis, which, if not taken up before the first day of April next, will be sent to the General Post Office as dead letters.

ANNE ASHMEAD, rev. John Ashton, Annapolis; Thos. Ayres, West river.

William Brogden, James Bond, Richard Burke, James Bruce, Luis Baily, Annapolis.

Jeremiah Chafe, Nicholas Carroll (2), John Callahan, Henry James Carroll, capt. William Coward (2), Anne Clewis, John Conly, care of Wallis and Muir, William Coe (2), Abraham Clod, Annapolis; Richard Chew, jun. (2), Herring bay; capt. Leonard Covington, Patuxent; Thomas Carter, Kent-Island.

Gabriel Duval (3), col. William Deakins, William M. Duncan, Annapolis; capt. James Disney, near Annapolis.

Dr. Thomas Edgar, Annapolis.

Richard Frazer, Benjamin Fairbairn, Annapolis.

John Gwinn, John M. Ganitt, Archibald Golder, Annapolis.

Jer. Harwood, Annapolis; Edward Hall, West river.

John Johnston, Annapolis; John Johnston, Lower Marlboro.

Thomas Lansdale, Queen-Anne.

Luther Martin, Gilbert Murdoch, Elizabeth Mordock, Annapolis; Samuel M'Cubbin, near Annapolis; Charles M'Pherson, Hunting-town.

Mrs. A. Ogle, Annapolis.

Geo. Peachy and Gilmore, Edward James Pryfe, Annapolis.

Allen Quynn, Annapolis.

Henry Ridgely (2), Samuel Ringgold, Mrs. S. Ringgold (2), Eliza Rodgers, Annapolis.

Mrs. Stevens (2), Gustavus Scott, John Sands, Wm. Sandison, Philip Schworer, Annapolis; rev Mr. Scott, Herring bay.

Samuel Tyler, Governor's Bridge; Thomas Tiltard (2), Herring bay; Miss Tayloe, Wye river.

William Winder, John C. Weems (2), James West, Thomas Walley, William Wells (2), Turner Wotton, Annapolis; Thomas Warfield, near Annapolis; John Weems (2), to be left at John Thomas's West river.

S. GREEN, D. P. M.

January 11, 1796.

By virtue of a writ of fieri facias, from the general court, to me directed, will be SOLD, at the house of EDWARD SPURRIER, at Elk-Ridge Landing, on Saturday the 13th day of February,

A TRACT of land called HERBERT'S CARE, containing about 200 acres, taken as the property of WILLIAM PITT GRIFFITH, and sold to satisfy a debt due to ARCHIBALD MONCRIEFF and ROBERT DORSEY. The sale to begin at 12 o'clock.

RICHARD HARWOOD, Sheriff

of Anne-Arundel county.

January 12, 1796.

In the LAND-OFFICE, January 1, 1796.

Samuel Swearingen } THE said EDWARD DAY having entered a caveat against the said SAMUEL SWEARINGEN'S certificate of a tract of land called SMITH'S FORTUNE, and the said Day having returned a certificate of a survey of a tract called HILTON, including the whole of Smith's Fortune, and the said Swearingen being therefore considered to have a caveat against the said Hilton, and the said caveat never having been prosecuted, and the said Swearingen, as it is said, having left the state, it is adjudged and ordered, that unless the said Samuel Swearingen, or his legal representative, shall appear here on the twenty-second day of July next, agreeably to a subpoena this day issued, and then and there support his caveat against the said certificate of Hilton, the same shall be then dismissed; provided the said subpoena be regularly returned by the sheriff of Anne-Arundel county, and provided a copy of this order be inserted in the Maryland Gazette at any time before the twenty-second day of the present month, and continued therein at least three weeks successively.

By order of the Chancellor,

JOHN CALLAHAN, Reg. L. O. W. S.

ALL persons indebted to the estate of JOHN NORRIS, late of Anne-Arundel county, deceased, are requested to make immediate payments, and those having claims to make them known; to

MARTIN NORRIS, Administrator.

Anne-Arundel county, West river, Jan. 8, 1796.

ALL persons indebted to the subscribers for dealings with JOHN READ MAGRUDER and SONS, are desired to make payment, their partnership being dissolved this day, those having claims are requested to bring them in for settlement.

JOHN READ MAGRUDER, Sen.

JOHN READ MAGRUDER, Jun.

JAMES ALEXANDER MAGRUDER.

Upper Marlborough, January 1, 1796.

A LIST of LETTERS remaining in the Post-Office, Piscataway, which, if not taken up before the first day of April, will be sent to the General Post-Office as dead letters.

JOHN ADDISON.

Thos. Brown.

Mrs. Susanah Brewer.

Henry Clavoe.

Benjamin Cawood.

Samuel Crawford, 3 letters.

Nicholas Crafoft.

Edward Edelen, Esq.

Thos. Mudd, near Piscatay.

John Murphey, merchant, Piscatay.

Benjamin Oden.

Leonard Robey, 2 letters.

ISIDORE HARDEY.

NOTICE is hereby given, that I intend to apply to the justices of Anne-Arundel county court, at their next term, for a commission to mark and bound a tract of land in said county, called The VENTURE ENLARGED, agreeably to an act of assembly for marking and bounding lands.

BENJAMIN RISTON.

Anne-Arundel county, January 12, 1796.

WANTED,

Without Delay,

A STRONG, stout, substantial, and faithfully built BOAT, of either mulberry, cedar, or well seasoned white oak for the frame.—The length of keel between 28 and 32 feet, the beam 12 or 13 feet, in the hold about three feet nine inches to four feet, and of a very handsome model.—If the craft or boat be well appraised it would be the more agreeable, but by no means an inadmissible objection. Inquire of the printers. 28 Xc March 23, 1795.

To be SOLD,

A COMMODIOUS DWELLING-HOUSE, in a pleasant part of this city.—Apply to the PRINTERS. Annapolis.

An APPRENTICE

Wanted at this Office.

NOTICE.

THE subscriber intends to apply to the court of Charles county, at their March term next, for a commission to mark and bound his land called LYN-SAY'S SWAMP, lying in Charles county, agreeably to the act for marking and bounding land.

JOHN BRENT,

Charles county, December 12, 1795.

BY virtue of the powers vested in us by an act of the General Assembly of the State of Maryland, entitled, An act for erecting a bridge over the eastern branch of Patowmack river, we do hereby give notice, that books will be opened by us in the city of Washington, on the fourth Monday in February next, for receiving and entering subscriptions for the said undertaking.

NOTLEY YOUNG,
DANIEL CARROLL, of Dn.
WILLIAM M. DUNCANSON,
THOMAS LAW,
GEORGE WALKER.

N. B. The act is published in the Federal Intelligencer and Baltimore Daily Gazette.

To the PUBLIC.

THE subscriber proposes teaching young ladies the GUITAR, both piano and common, also gentlemen the VIOLIN; from his perfect knowledge of both instruments he flatters himself to merit the approbation of the public and give general satisfaction. Those who have a turn for music may be taught to play twelve tunes the first quarter, also to tune their own instruments. The subscriber composes for his pupils little songs and tunes suited to their capacities. Terms are, six dollars entrance, and four dollars a month. Instruments and strings may be had of Mr. CARR, in Baltimore, correspondent of the subscriber's.

JOHN J. ABERCROMBY.

N. B. Mould and dipped tallow CANDLES, of the best quality, equal in looks to white wax, manufactured by A. TRENET, at the house of the subscriber, opposite the Printing-Office, mould at 1/10^d per pound, dipped 20d. ditto.

Annapolis, January 4, 1796.

WHEREAS CHARLES COWLEY, late of this county, did, on or about the 30th day of January last, obtain from us two bonds for payment of £.300 and £.350 current money, being for the consideration of part of two tracts or parcels of land, BIRKHEAD'S ADVENTURE and HARRISON'S ENLARGEMENT, to which a title cannot be had, therefore we hereby caution all persons from taking an assignment of said bonds, or either of them, as they will not be paid.

CHARLES DRURY,
WILLIAM DRURY.

Anne-Arundel county, January 1, 1796.

THE creditors of STEPHEN STEWARD, junior, prior to his obtaining an act of insolvency, are desired to take notice, that the subscriber, on the third Monday in February next, at the house of Mr. WHARFE, in the city of Annapolis, will proceed to pay on the claims exhibited in the chancery-office, in proportion to their respective amounts, all monies which he hath received as trustee of said STEWARD.

BENJAMIN HARRISON, Trustee of
S. STEWARD, jun. an insolvent
debtor.

Annapolis, January 4, 1796.

NOTICE.

ALL persons having claims against the estate of STEPHEN STEWARD, senior, late of Anne-Arundel county, deceased, whether on judgment, bond, bill, note, or open account, are requested to produce them, legally authenticated, to the subscriber, or to PHILIP B. KEY, of Annapolis, on or before the first day of June next, in order for payment, so far as affects have come to the subscriber's hands; those who neglect to bring in their claims will be excluded from any share of the distribution then to be made.

BENJAMIN HARRISON, Administrator
de bonis non of S. STEWARD, sen.

Annapolis, January 3, 1796.

ALL persons indebted to the estate of HENRY BALDWIN, late of Anne-Arundel county, deceased, either by bond, note, or open account, are requested to make payments by the twentieth day of February next, or suits will be brought against them without respect, and those having claims are requested to make them known by that day.

MARIA GAMBRILL, Administratrix.

TAKEN up by the subscriber, near Pig Point, in Anne-Arundel county, as a stray, a dark bay MARE, about twelve and an half hands high, is branded on the near side thus O, the trots and gallops. The owner may have her by proving property and paying charges.

CHARLES DRURY.

December 30, 1795.

TAKEN up as a stray, by JOHN DAVIDSON, living at BELL's plantation, on the Head of South river, in Anne-Arundel county, a small black STEER, with some white upon his back, marked with a swallow fork in each ear, and supposed to be about four years old. The owner may have him again on proving property and paying charges.

CASH given for Clean
Linen and Cotton
RAGS,
At the Printing-Office.

By the HOUSE of DELEGATES, December 24, 1795.

On motion, ORDERED, That the register of the land-office for the western shore cause so much of the bill, entitled, An act relative to the proceedings in the court of chancery and in the land-office, as relates to the land-office, to be published for six weeks successively, before the first day of April next, in the Annapolis, Easton, and George-town news-papers, and in one of the Baltimore, Frederick-town, and Elizabeth-town news-papers.

By order,

W. HARWOOD, Clk.

Part of the act relative to the proceedings in the court of chancery and in the land-office.

AND be it enacted, That in case any warrant for surveying or resurveying land hath issued or shall issue, and the same hath been or shall be executed by a deputy of the surveyor, authorized to execute the same, and before a certificate of the survey or resurvey shall be made out and signed by the said surveyor he shall die, the said deputy shall have power, within six months after such death, to make out and sign a plot and special certificate, stating the circumstances of the case, with an affidavit of the truth thereof annexed or endorsed, and the said certificate shall be as good and effectual as if made out and signed by the said surveyor, and if any amendment or correction of the said plot or certificate shall be necessary, the amendment or correction shall be made by the said deputy, or such other person as the chancellor, or the judge of the land-office on the eastern shore, as the case may be, shall think proper.

And be it enacted, That in case any certificate hath been or shall be made out by any county surveyor, authorized to make the same, under a warrant of survey or resurvey, and the same hath been or shall be duly returned, and an order of the chancellor, or judge of the land-office of the eastern shore, hath been or shall be made for correcting the same, and the surveyor hath resigned or shall resign his office without making out a correct certificate, or correcting the original, the chancellor, or judge of the land-office of the eastern shore respectively, on application of the party, and at his own discretion, may order the correction to be made by the said surveyor, and the corrected certificate made out by the said surveyor shall be as good and effectual as if he had not resigned, and he shall be entitled to such fees as to the chancellor, or judge of the land-office for the eastern shore, shall, under all circumstances, appear reasonable, not exceeding the fees established by law.

And be it enacted, That hereafter no original certificate of survey or resurvey under a warrant shall be received in the land-office, unless the same be passed by the examiner-general, and returned to the said office before the first day of July next, or within eighteen months from the date of the warrant, and in case any order hath been made for the correction of any certificate of survey or resurvey under a warrant, the corrected certificate shall not be received into the land-office, unless passed by the examiner (if necessary) and returned before the first day of January, seventeen hundred and ninety-seven, and in case any order shall hereafter be made for the correction of any certificate as aforesaid, the corrected certificate shall not be received, unless passed by the examiner (if necessary) and returned within nine months from the date of the order, but nothing in this act contained shall be so construed as to extend the time within which a survey or resurvey under a warrant may be made.

And be it enacted, That where any certificate of survey or resurvey shall by the examiner-general be found erroneous, or where, on application of the party, the chancellor, or judge of the land-office on the eastern shore, may think proper to direct the correction of any certificate, and there is not sufficient time for such correction to enable the party to pay the money within the time required by law, on a tender being made of the money due to the treasurer, three months shall be allowed for the correction of such certificate, and being passed by the examiner-general, and payment made within the said three months, the same shall be valid.

And be it enacted, That no certificate of survey or resurvey shall be liable to a warrant of proclamation before the first day of June next.

And be it enacted, That in case any certificate of survey or resurvey already made, or hereafter to be made, hath been or may be returned, by which vacant land may be included, and not compounded for agreeably to law, such survey or resurvey shall be liable to be affected by a proclamation warrant, by any person who shall apply for the same, but no proclamation warrant shall thereafter issue on any survey made or hereafter to be made in this state, unless one tenth part of the land contained in the said survey or resurvey is compounded upon and paid to the treasurer of the western or eastern shore, as the case may be, before such warrant shall issue; provided, that the person claiming the said survey or resurvey shall have one day after the said first day of June, or after the expiration of the warrant of such surveys or resurveys made, or hereafter to be made, as aforesaid, for a proclamation, to pay and compound on the same, and no application shall be received by the register of the land-office for the western or eastern shore respectively, until after such day of pre-emption shall have expired; provided, that nothing herein contained shall be taken or deemed to affect the right of any person who hath already applied for any proclamation warrant, if such person shall take out the said warrant on or before the first day of April next.

And be it enacted, That it shall be the duty of surveyors in returning certificates hereafter to express the quantity and quality of the improvements contained on

the land included in the survey or resurvey, and subject to the operation of the warrant, with his opinion of the value of the same, and no exception shall hereafter be taken to any certificate of survey, or resurvey made, or which hereafter may be made, by way of caveat in the land-office, on account of improvements not being returned, provided that nothing in this act shall be taken or construed to affect any case now existing on caveat before the chancellor.

To be SOLD, under a decree of the High Court of Chancery, at PUBLIC SALE, at George-town, on the 15th day of February next,

FIVE country born negro SLAVES, consisting of three men and two women. Six months credit will be given.

JOHN M. GANTT, Trustee.

FIFTY DOLLARS REWARD.

RAN AWAY from the subscriber's plantation, at Nanjemoy, in Charles county, on the 20th inst. a dark coloured mulatto lad, about twenty years old, slender made, and very likely, named BILL, or WILL, and commonly passes amongst those who know him by the nickname of M'DANIEL, has a small scar on the upper part of his forehead, which may be discovered on close examination, dresses himself remarkably neat, has a variety of good clothing. This lad is well known to gentlemen of the turf, having rode for several purses in Virginia and Maryland. He stole and carried off with him a sorrel horse, about fourteen hands high, with a star in his forehead, and branded on the near shoulder with the letter B. There is some reason to believe he will attempt to get into Kent county, in the Delaware state, and pass himself as a free man; FORTY DOLLARS shall be paid for the boy, and TEN for the horse, if secured so that I get them again.

JOHN THOMAS.

Maryland Dec. 24, 1795.

ALL persons indebted to the estate of WILLIAM THOMAS, late of St. Mary's county, deceased, are requested to make immediate payment, and those having claims are desired to bring them in, legally attested, that they may be settled.

ELIZABETH THOMAS, Executrix.

December 16, 1795.

WHEREAS his excellency JOHN H. STONE, governor of Maryland, has been pleased to nominate and appoint us, referees, to settle and adjust the proportions of stock of the United States to be transferred to the Patuxent Associates, or their legal representatives, by the trustee of this state, in virtue of a resolution of the last general assembly, Notice is hereby given, that we shall meet at this place on the first Wednesday in February next, for the purposes of adjusting the proportions agreeable to said resolution, and all persons having claims are desired to exhibit them, on or before that day, to us.

J. THOMAS,
R. YOUNG,
G. BISCOE.

Nottingham, December 28, 1795.

Patowmack Company.

THE stockholders on the new subscription to the Patowmack Company, are required to pay to William Hartshorne, treasurer, on or before the first day of March next, ten pounds per cent. on the amount of each share by them held.

JOHN FITZGERALD, President,
GEORGE GILPIN,
JAMES KEITH,
JOHN TEMPLEMAN,
TOBIAS LEAR, } Directors.

Alexandria, Dec. 22, 1795.

RAN AWAY from the subscriber, in the month of May last, a mulatto woman named MARY, about twenty-one years of age, she took her only child with her, a handsome mulatto boy, about three years old, it is supposed she is in the city of Annapolis, or the neighbourhood thereof, as she has been seen about three weeks ago in company with a certain CHARLES CLEVIS, a free black, who it is probable will claim her as his wife and pass her for a free woman. A reward of THREE POUNDS will be given for securing the said woman and child, and if brought home reasonable charges, paid by

WILLIAM HARWOOD.

July 6, 1795.

TO BE SOLD,

A LARGE and commodious three story brick DWELLING HOUSE in this city, an excellent stand for the mercantile business, and well calculated for a family.—Inquire of the PRINTERS.

N. B. A pleasing credit will be given to the purchaser.

Annapolis.

HAVING suffered much loss by trespasses on my plantation near this city, I now give notice, that I will prosecute all those who commit the like in future.

BENJAMIN OGLE.

August 22, 1795.

ANNAPOLIS:

Printed by FREDERICK and SAMUEL GREEN.